EVIDENCE—COMPETENCY—RATE OF WAGES.—STAGG V. BARRETT, ET AL., 76 ATL. 974 (N. J.).—*Held,* that upon a controversy concerning the rates of wages for mechanics prevailing at and before the making of a certain building contract, it was not erroneous to exclude evidence of the rates that prevailed long after the making of the contract. Swayze, Minturn and Bogert, J. J., *dissenting.*

Not all facts which are in some degree logically relevant to the issues in the case are regarded in law as having sufficient probative force to justify the expenditure of the time which would be involved in receiving and attempting to test and weigh them. *Amoskeag Mfg. Co. v. Head,* 59 N. H. 332. Hence, whenever the court feels that a fact is not of probative value commensurate with the time required for its use as evidence, either because the fact is so remote in time, *New Era Mfg. Co. v. O'Reilly,* 197 Mo. 466, or in place, *Jungclaus v. Great N. R. Co.,* 99 Minn. 515, or because it is so uncertain, *Melvin v. Bullard,* 35 Vt. 268, or so conjectural in its nature, *Muller v. Southern Pac. R. Co.,* 83 Cal. 240, that it can have little or no weight in tending to prove the disputed fact, it may be rejected. Hence, it has been held where the issue was the mental capacity of a grantor in a deed at the time of its execution, that evidence of the condition of his mind a year afterwards may be excluded in the discretion of the court as being too remote. *White v. Graves,* 107 Mass. 325. In like manner also, where the fact in issue was the amount of overflow of a watercourse that was due to rainfall, evidence of the amount of rain which fell in a valley eight miles away was held too remote to be received, though relevant. *Carhart v. State,* 100 N. Y. Supp. 499. But evidence cannot reasonably be said to be too remote in time, either prior or subsequent, if its existence at that time raises a fair inference of its continued existence at the time involved in the inquiry. See *Bank of State of N. Y. v. S. Nat. Bank,* 170 N. Y. 1, and *McColloch v. Dobson,* 133 N. Y. 114. In thus determining whether or not a fact should be excluded on account of remoteness an important consideration affecting the propriety of the court's action is whether more direct or conclusive proof is already in the case or could have been obtained by a reasonable amount of diligence. *Long v. Traveller's Ins. Co.,* 113 Iowa 259.

EVIDENCE—JUDICIAL NOTICE—FACTS CONCERNING CENSUS.—WILLIAMS V. BROOKS, 109 PAC. 211 (WASH).—*Held,* that judicial notice will be taken of the population of a city as shown by the United States census of 1900, and that here has been no Federal census completed since that time.

Proof is never required of a fact of which the Court is bound to take judicial notice. *Secrist v. Perry,* 109 Ill. 188; *State v. Scott,* 59 Nebr. 499; *Hart v. Baltimore & O. R. R. Co.,* 6 W. Va. 336. And in general the courts will take judicial notice of matters relating to government and its administration. *United States v. Jackson,* 104 U. S. 41; *Perkins v. Perkins,* 7 Conn. 558; *Prince v. Skillin,* 71 Me. 361; *Ogden v. Lund,* 11 Tex. 688. So judicial notice will be taken of the government surveys and the legal sub-divisions of the public lands. *Rogers v. Cady,* 104 Cal. 288; *Gardner v. Eberhart,* 82 Ill. 316; *Quinn v. Champagne,* 38 Minn. 322; *At-*